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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.         | CONFIRMATION NO.       |
|--|-------------|----------------------|-----------------------------|------------------------|
| 10/522,770   | 01/31/2005  | Arie Ariav           | 29180                       | 9336                   |
| 7590 12/31/2007  |             |                      |                             |                        |
| Martin Moynihan<br>Anthony Castorina<br>2001 Jefferson Davis Highway<br>Suite 207<br>Arlington, VA 22202 |             |                      | EXAMINER<br>REDMAN, JERRY E |                        |
|  |             |                      | ART UNIT<br>3634            | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>12/31/2007     | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/522,770 | <b>Applicant(s)</b><br>ARIAV, ARIE |  |
|                              | <b>Examiner</b><br>Jerry Redman      | <b>Art Unit</b><br>3634            |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is a lack of antecedent basis for the following: IN claim 1, line 3, "the flow", line 13, "said flow"; In claim 3, line 2, "the outer ends"; In claim 10, line 2, "the outer ends"; In claim 16, line 3, "the flow", line 13, "said flow"; and In claim 19, line 3, "the flow", line 12, "said flow". In claims 3, line 3, and claim 15, line 3, the phraseology "and/or" is indefinite and fails to positively recite the claimed invention. Throughout the claims, the applicant recites the phraseology "along an effective straight-line path" is not readily understood by the Examiner. How can a path about a revolving door be anything but slightly curved to curved?

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are further rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. patent to Bunzl (5,634, 295). As shown in Figure 7, Bunzl ('295) clearly discloses a revolving door assembly comprising a plurality of radially extending door sections including radially-extending inner panels (15") and radially extending outer panels (15'), guide rollers (17) attached to the outer panels (15') which are guided along a track (17) wherein when the door sections are parallel to "the flow" of traffic, the door sections are extending at an inner most position and when the door sections are

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perpendicular to "the flow" of traffic the door sections are extended to their outermost position. (note: since one walks through a revolving door in a semi-circular fashion, the doors are extended to their outermost position at a point when the door sections are at dissecting points between the "openings" and the opposed frame elements)

The applicant's arguments have been considered but are not deemed persuasive. The Examiner respectfully disagrees with the applicant's assertion that proper antecedent basis is not necessary in this particular instant. The Examiner does agree that in certain instances, "proper" antecedent basis could be overlooked based on inherency and lack of confusion. With respect to the applicant's arguments over U.S. patent to Bunzl, it appears that the applicant's arguments are more limiting than that of the claims. Phraseology such as "for controlling..." fails to positively limit the claimed invention and therefore carries little to no patentable weight. Furthermore, the applicant attempts to provide claim language "an effective straight-line path" which is not readily understood by the Examiner as discussed in detail above. Isn't every path through a revolving door "slightly curved"?

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Redman whose telephone number is 571-272-6835. The examiner can normally be reached on M-F from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glessner, can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jerry Redman  
Primary Examiner